

Residential Tenancies Board

Determination Order

Ref: DR1218-50800

In the matter of Vincent Carty [Applicant Landlord] and Sandra Patapaite [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on the 23rd October 2018, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 120 Block B, The View, St. Wolstan's Abbey, Celbridge, Co. Kildare, is valid.
2. The Respondent Tenant, and all other persons residing in the above dwelling, shall vacate and give up possession of the dwelling within 35 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €5340.00 to the Applicant Landlord, by way of 26 consecutive monthly instalments at the rate of €200.00 per month, to be paid on or before the 28th day of each month, followed by a final instalment of €140.00, to be paid on or before the 28th day of month 27, payment commencing in the month immediately following the month of issue of this Order. This sum of €5340.00 being rent arrears in respect of the tenancy of the aforementioned dwelling.
4. The enforcement of this Order for such payment of €5340.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €5340.00 has been paid in full.
5. For the avoidance of doubt, any default in the payment of any of the monthly instalments shall act to cancel any further deferral and the balance due at the date of default of any such monthly payment shall immediately become due and owing to the Applicant Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from the 20th February 2019, being the date immediately following the date of the hearing, to the Applicant Landlord, at the rate of €980.00 per month or proportional part thereof at the rate of €32.22 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as she, and all other occupants, vacates the aforementioned dwelling.

This Order was made by the Residential Tenancies Board on 30 May 2019.

A handwritten signature in dark ink, appearing to read 'Gary Byrne', is written over a horizontal line.

Gary Byrne

Higher Executive Officer

Duly authorised to sign on behalf of the Director